

SIKKIM



GOVERNMENT

GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok

Tuesday 13th March, 2018

No. 88

GOVERNMENT OF SIKKIM
ENERGY & POWER DEPARTMENT
GANGTOK

NOTIFICATION

No :108/CEI/GOS/17-18/44

Dated:- 28/02/2018

In exercise of the powers conferred by clause (o) of sub-section (2) of section 180 of the Electricity Act, 2003 (Central Act No. 36 of 2003) and sub-regulation (1) of regulation 29 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010, the State Government hereby makes the following rules, namely:—

CHAPTER - I

Preliminary

1. Short title and Commencement.

- (1) These rules may be called the Sikkim Electrical Inspector (Formation of Technical Committee and Grant of License, Competency Certificate and Permit to work) Rules, 2017.
- (2) They shall come into force on the date of publication in the Official Gazette.

2. Definitions.-

- (1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Electricity Act, 2003 (Central Act No. 36 of 2003);
 - (b) "Certificate" means the certificate of competency granted under these rules to work as Supervisors or Electrician/Wiremen upon qualifying in the examination conducted by the Technical Committee or body/ institution appointed by the Government;
 - (c) "Chairperson" means the Chairperson of the Technical Committee;
 - (d) "Chartered Electrical Safety Engineer" means any person authorized by the State Government under regulation 5A of the

Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010) to assist the owner or supplier

- (e) "Contractor" means a person or a company or a firm or a body licensed as an Electrical contractor;
- (f) "Electrical Installation Work" means all electric work on a new installation or in any way altering the capacity or character of an existing installation, for the generation, transmission, storage or distribution of electrical energy for all purposes in every type of dwelling house, business premises, public building, factory and its appurtenance, out houses and places of public entertainment and gathering, whether supplied from a public electrical supply undertaking or from power plant owned by Government or from private plant or any sources of generation whatsoever;
- (g) "Form" means form appended to these rules;
- (h) "Fees" means the fees specified by the State Government for issue or renewal etc. for License, Certificate and Permit from time to time;
- (i) "Government" means the Government of Sikkim;
- (j) "License" means the License granted to Electrical Contractor by Technical committee under these rules;
- (k) "Member" means Member of the Technical Committee;
- (l) "Permit" means the permit granted to work as Supervisor or Wiremen or Chartered Electrical Safety Engineer upon meeting the qualifying criteria as specified under these rules;
- (m) "SCC" means Supervisor Competency Certificate granted under these rules to work as Supervisor upon successfully qualifying in the examination conducted by the Technical Committee or body/ institution appointed by the Government;
- (n) "Schedule" means schedule appended to these rules;
- (o) "Secretary" means the Member Secretary of the Technical Committee;
- (p) "Supervisor" means an Electrical Supervisor granted with competency certificate to work or permit to work under these rules;
- (q) "Technical Committee" means the Technical Committee constituted under these rules.
- (r) "WEWP" means Wireman/Electrician Workman Permit granted by the Technical Committee or body/ institution appointed by the Government under these rules to work as Wireman/ Electrician; and

- (s) "Wireman/Electrician" means an Electrical Workman granted with permit to work under these rules.
- (2) Words and expressions used in these rules but not defined in these rules shall have the same meaning as assigned to them in the Act or Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010, as the case may be.

CHAPTER – II

Grant of License, Competency Certificates to work and Permit to Work, Eligibility and Validity.

3. Contractor's License and Eligibility Conditions.

- (1) There shall be 2 (two) classes of Electrical Contractor's License, as specified in column 2 of Schedule – I.
- (2) The license shall be granted to a person, company or firm that meets the following requirements:-
 - (a) The applicant must be the holder of Sikkim Subject or Certificate of Identification issued by competent authorities, holder of Residential Certificate of Sikkim, Registered Co-operative Society in Sikkim, Registered Partnership Firm in Sikkim, Public Limited Company or Private Limited Company incorporated as per provision of the Act enforceable in Sikkim.
 - (b) It shall have an office exclusively in Sikkim.
 - (c) It fulfills the eligibility as specified in column 2 of the Schedule – I.
 - (d) It shall have staff in employment, as specified in column 3 of Schedule I. Provided that, owner of the company or firm can work as Supervisors of Class A or Class B or Wireman/ Electrician if owner is eligible and possess the Certificate to work or permit to work as per these rules and in that case the requirement of the staff shall be reduced to that extent only.
 - (e) It shall have in its possession the instruments specified in column 4 of Schedule I;
- (3) The scope of electrical work that can be undertaken by the Electrical Contractor License holder in the State of Sikkim are given in column 6 of Schedule I.

4. Supervisor's Certificate of Competency, Eligibility Conditions.

There shall be two classes of supervisors, as specified in column 2 of Schedule II. Supervisor's Certificate of Competency (SCC) or permit to work as supervisor shall be granted to the candidates by the following mode; namely:-

- (a) **Through Examination:** The candidate who possess the qualification for appearing in the examination as mentioned in column 3 of Schedule – II and have passed the examination conducted by the Technical Committee or body/ institution appointed by the Government shall be granted a Supervisor's Certificate of Competency (SCC) to work: or

- (b) **Without Examination:** The candidate who possess the qualification and experience as mentioned in column 4 of the Schedule – II shall be granted a Supervisor's Certificate of Competency to work as Supervisor.

**5. Wireman/
Electrician
Workman Permit,
Eligibility
Conditions.**

Wireman/ Electrician Workman Permit shall be granted to the candidates by the following mode; namely:-

- (a) **Through Examination:** the candidates who possess the qualification for appearing in the examination as mentioned in column 2 of Schedule – III and have passed the necessary examination conducted by the Technical Committee or body/ institution appointed by the Government shall be granted a Wireman/ Electrician Workman Permit.

- (b) **Without Examination:** The candidate who possess the qualification and experience as mentioned in column 3 of the Schedule – III shall be granted a permit to work as Wireman or Electrician.

**6. Permit to work as
Chartered Electrical
Safety Engineer,
Eligibility and
Conditions.**

- (1) Permit to work as Chartered Electrical Safety Engineer shall be granted to those who have the following qualifications and experience; namely:-

- (a) Bachelor of Engineering or Bachelor of Technology in Electrical Engineering; and
(b) At least 5 (five) years of experience in operation and maintenance of electrical installations;

Provided that he shall not possess any electrical contractor's license or Supervisor Competency Certificate to work or permit to work as Supervisor or Wireman/Electrician Workman Permit issued by the office of the Electrical Inspectorate, in case the candidate already possesses such Licenses, Certificates or Permits he/she shall surrender the same before receiving the Permit to work as Chartered Electrical Safety Engineer.

**7. Initial validity of
Electrical
Contractor's
License.**

- (1) Every License granted to Electrical contractor under these rules shall have initial validity for a period of 3 (three) Years.
(2) For Private Limited or Public Limited Company, valid documentation for change of directorship shall be submitted to the office of the Inspectorate within 30 (thirty) days of such change during the validity period of license; otherwise the license shall become liable for cancellation.
(3) For Partnership Firm, the validity of license will cease to exist in the event of change in original legal entity to which the license was issued. Valid documentation for change of partner shall be submitted to the office of the Electrical Inspectorate within 30 (thirty) days of such change during the validity period of license; otherwise the license shall become liable for cancellation.

(4) For Individual or Proprietorship Firm, physical verification is required once in every 3 (three) years from the date of issuance of license, failing which the license shall be deemed cancelled.

(5) No Contractor's License shall be granted to a person who is under the employment of Contractor either as a Supervisor or as a Workman.

8. Submission of Application.

(1) Application for grant or renewal of Competency Certificate or Permit to work shall be made to the office of Inspectorate in "Form EIS-D" along with the required documents and fees specified by the State Government.

9. Documents to be submitted along with the application Forms.

(1) Application for grant of license shall be accompanied with the following documents; namely:-

(a) Specimen signature and 3 (three) recent passport size coloured photographs (of proprietors or partners or directors of the firm or company) with white background duly attested by the Gazette Officer;

(b) Receipt of payment of fees as may be notified by the State Government from time to time for application;

(c) Attested copy of any document as per clause (a) of sub-rule (2) of rule 3.

(d) Letter of willingness obtained from Supervisor, Wireman with their signature along with the copy of Permit and Supervisor Competency Certificate.

(e) Proof of possession of tools and equipments mentioned under column 4 of Schedule I.

(f) Self attested copy of:

(i) PAN Card/ Local Tax Clearance Certificate / NOC if applicable;

(ii) Photo Identity Proof of applicant(s) issued by the State or Central Government;

(iii) Proof of address of business;

(iv) Registered partnership deed (for partnership firm) or Memorandum and Articles of Association issued by the Registrar of Companies and authorization letter issued to the authorized signatory by the partner;

(v) Appointment letters of the supervisors and workman signed by the contractor;

(vi) Educational Qualification.

(g) In case of application for class 'B' contractor's license in unemployment category must provide a self declaration of state of unemployment;

- (h) Self-attested copy of earlier contractor license, if applicable;
 - (i) Self-attested copy of work experience, if applicable;
 - (j) Medical Certificate of Fitness (As per "Form EIS-E").
- (2) For Grant of Supervisor Competency Certificate and WEWP:-
- (a) Specimen signature and three recent passport Size colored photographs with white background duly attested by the Gazetted Officer;
 - (b) Certificates of technical qualifications and experience, as per the rules;
 - (c) Receipt of payment of fees as may be notified by the State Government from time to time for application;
 - (d) Photo Identity Proof of applicant(s) issued by the State or Central Government;
 - (e) Medical Certificate of Fitness (As per format);
 - (f) Any other documents as required from time to time.

Note:- (a) Candidates are required to produce the original documents as and when asked for by the Technical Committee.

(b) Any documents, facts mentioned in the application or testimonial found to be incorrect or counterfeit will be dealt accordingly by the Technical Committee.

10. Grant of License, Certificate and Permit.

- (1) On receipt of complete application along with the requisite document, the Electrical Contractor's License shall be granted by Technical Committee, after inspection of tools and appliances by the Electrical Inspector or any other member of his staff authorized to do so and also on verification of documents furnished by the candidate. But, if inspection is not possible within a reasonable time, the Chairman of the Technical Committee may on recommendation of the Member Secretary issue a provisional license, information of which shall be given to Technical Committee as soon as possible for final decision.
- (2) Upon passing the examination conducted by the Technical Committee or body/ Authorized Institution appointed by the Government for the purpose, certificate of competency as may be granted by the Technical Committee to Supervisor or Wireman/ Electrician, as the case may be.
- (3) Upon meeting the qualification criteria and verification of documents furnished by the candidate, permit to work may be granted to Supervisor, Wireman/Electrician or Chartered Electrical Safety Engineer, as the case may be.

- 11. Grant of Duplicate Certificate of Competency and Permit.**

 - (1) Application for grant of duplicate Certificate of Competency and Permit may be submitted in "Form EIS-F".
 - (2) A duplicate License, Certificate of Permit, as the case may be granted under these rules shall be issued on payment Of fee as may be notified by the State Government from time to time. Such permit shall bear the seal "DUPLICATE" and the signature and seal of the issuing authority.
- 12. Renewal of License, Certificate and Permit.**

 - (1) Applications for renewal of License, Certificate or Permit along with proof of payment of fees as may be notified by the State Government from time to time, shall be submitted at least one month before the date of expiry to the office of Electrical Inspector.
 - (2) Contractor's License granted to Private or Public Limited Company or Partnership Firm shall be renewed for a period of 3 (three) years if there is no change in legal entity of the Company or Firm to whom license was originally granted.
 - (3) Contractor's License for Individual or Partnership firm shall be renewed for 3 (three) years after the initial validity period. After attaining the age of 60 (sixty) years the License is required to be renewed annually, subject to the medical fitness certificate submitted by the applicant in "Form EIS – E".
 - (4) The certificate of permit granted to Supervisor, Wireman or Chartered Electrical Safety Engineer as the case may be, shall be renewed annually on payment of fees as may be notified by the State Government from time to time.
- 13. Cancellation or Suspension of Contractors License Certificate and Permit.**

 - (1) The Technical Committee may at its discretion cancel or suspend a Electrical Contractor's License at any time:-
 - (a) If the person (or firm or company) to whom the license is granted is found unfit (Bankrupt or Incompetent) to hold the license;
 - (b) If there is a change in legal entity to which the license was originally granted;
 - (c) On failure to submit annual return of work and any other report required by the Electrical Inspector.
 - (2) Permit of Chartered Electrical Safety Engineer shall be liable for cancellation or suspension in case of involvement in any malpractices or incorrect certification;
 - (3) If any person holding a certificate or permit granted under these rules, to work as Supervisor or as Wireman/Electrician, is found negligent of his duties or guilty of infringement of these rules or malpractices.
 - (4) No License, Certificate or Permit shall be cancelled unless the facts warranting cancellation are established in an enquiry conducted by the office of Electrical Inspectorate.

- (5) Appeal against the order of cancellation or suspension of the License, Certificate or Permit shall lie to the Technical committee.
- (6) Every suspension of License, Certificate or Permit shall be for a maximum period of 6 (six) months within which it has to be revoked or cancelled.

CHAPTER – IV **Formation of Technical committee**

14. Technical Committee.

The Technical committee shall consist of the following members, namely :-

- (a) Chief/Senior Electrical Inspector : Chairperson
- (b) Principal, Industrial training Institute, nominated By Government : Member
- (c) Two officers of E&PD each of the rank of Superintending Engineer and Executive Engineer : Members
- (d) One representative from Electrical Contractor having knowledge in Electrical Engineering : Member
- (e) Electrical Inspector/ Assistant Electrical Inspector : Member Secretary

15. The functions of the Technical Committee.

The Technical Committee shall perform the following functions, namely:-

- (i) To grant Electrical Contractor's License.
- (ii) To grant Electrical Supervisor's Competency Certificate and Wireman/Electrician Workman Permit.
- (iii) To grant permit to work as Chartered Electrical Safety Engineer .
- (iv) To design the syllabus for conducting examination of Electrical Supervisors and Wireman and recommend the same to the Energy and Power Department, Government of Sikkim;
- (v) To execute any such work as the Government of Sikkim may direct from time to time in connection with the enforcement of regulations of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 in the state;
- (vi) To enquire into violation of any of the provisions of these rules on the part of Electrical Contractor, Chartered Electrical Safety Engineer, Supervisors, Wireman and Electrician to take appropriate actions as specified under these rules.

16. Meeting of the Technical Committee.

- (1) The Technical Committee shall hold a meeting as often as required but at least once in 3 (three) months, to discharge following functions, namely:-
 - (a) Discuss and Dispose the matter pending before the committee during such period;

(b) Discuss and Decide the matters as specified under rule 15 as required;

(c) Any administrative decision for which recommendation needs to be sent to Energy and Power Department, Government of Sikkim for approval.

(2) Member Secretary shall finalize the place, date and time of the Technical Committee Review meeting and inform all members at least 10 (ten) days in advance along with the agenda for the discussion.

(3) Notwithstanding anything contained above, the first technical Committee Meeting shall be held within 1 (one) month from the date of formation of the Technical Committee.

17. Powers and Functions of the Chairperson.

The Chairperson shall have the following powers and functions:-

(i) To preside at all meetings of the Technical Committee, unless prevented by reasonable cause;

(ii) To issue provisional license on recommendation of Member Secretary, to the Contractors who are eligible and having request pending due to not holding of Technical Committee's Meeting. However, information of such provisional license shall be given to the Technical Committee as soon as possible for final decision.

18. Powers and Functions of the Member Secretary.

The Member Secretary shall have the following powers and functions.-

(i) to take all actions as required and considered necessary in connection with Committee's meetings, recording the proceedings of the meetings and all correspondences in accordance with the decisions of the Committee;

(ii) to scrutinize all applications received for grant of Electrical Contractor's License and Permit to work as Supervisor, Wireman/ Electrician and Chartered Electrical Safety Engineer and put up to the committee for their consideration;

(iv) to countersign license to electrical contractors and certificates to work or permit to work as Supervisors, Wireman and Chartered Electrical Safety Engineer;

(v) to grant duplicate license or renew the license and permit as the case may be on recommendation of the committee.

(vi) to maintain the registers of Contractors, Supervisors, Wireman and Chartered Electrical Safety Engineers to whom License, Certificates and Permits have been issued; and

(vii) to do any other assignment as directed by Chairperson/Committee required from time to time.

19. Timeframe for grant of License, Permit and Certificate.

(1) The License, Certificate and Permit shall be issued within 15 (fifteen) days of receipt of complete application.

CHAPTER – V

General

- 20. Responsibility of Electrical Contractor.** (1) Test Certificate has to be signed by the supervisor under whose supervision the work has been carried out, The test certificate should certify the following:-
- (a) The Installation has been tested and found the work satisfactory and of good quality.
 - (b) It shall be countersigned by the licensed contractor who has employed such supervisor.
- (2) Electrical Contractor shall intimate to the Member Secretary in writing to every change of the following:
- (a) Address of the place of business within 7 (seven) days of such change;
 - (b) Director(s) in case of private limited or public limited company within 30 (thirty) days; and
 - (c) Mobile or Telephone number of authorized representatives within 7 (seven) days of such change.
- (3) Contractors shall be personally responsible for the works carried by their employees.
- (4) Contractors may engage apprentices for training purposes. The contractor shall not permit such apprentices to carry out electrical installation work including additions, alterations, repair and adjustments to existing installations covered by sub-regulation (1) of regulation 29 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations 2010, except under the direct supervision of person holding a Certificate of Competency and under the guidance of at least one certified workman on the premises.
- (5) Every contractor shall maintain a register containing the particulars of all supervisors, workman and Apprentices employed by the Contractor. The register shall be open for inspection at any time by the Electrical Inspector. No person whose name is not entered in such register shall be considered to be an employee of the Contractor.
- 21. Submission of Returns.** Every Contractor shall furnish a statement of yearly returns of the work performed by him and of the works pending with him along with the details of staffs engaged and tools and instruments in his possession.
- 22. Non-Transferability of License, Certificate and Permit.** License, Certificates and Permits granted under these rules are non – transferable.

N. T. Bhutia
PCE cum Secretary

SCHEDULE – I

Class of Electrical Contractor's License and Eligibility Conditions.

Sr. No.	Class and Eligibility	Staff	Tools and Appliances	Solvency (in Rs.)	Scope
1	2	3	4	5	6
1	<p>CLASS – A : Individual/ Company/ firm having at least five years of experience as Class "B" Contractor. He shall have successfully executed at least one electrical installation of 11 KV Voltage level.</p> <p style="text-align: center;">OR</p> <p>Individual or the owner of the firm or all partner(s) of the firm who is/ are Electrical Engineers having three years of experience in electrical operations and maintenance at appropriate voltage level.</p> <p style="text-align: center;">OR</p> <p>Individual /Company/ firm who have successfully executed electrical works in the state above 11 KV Voltage level.</p>	At least Two Supervisors (Both Class 'A' or one Class 'A' and one Class 'B') and at least four Wireman/ Electrician having Electrical Workman Permit.	<p>Necessary tools: (i) Crimping Tool (ii) Cable Jointing Kit (iii) Drill Machines (iv) Chain/ Max Pulley (v) Safety belts (vi) 11 KV Hand Gloves</p> <p>Testing Equipments:- 1. Megger; 500 V, 1000 V, 5000 V. 2. Earth Tester with Testing Kit – 0/10/100 ohm with Selector Switch. 3. Tongue Tester having - (a) Ammeter 0/800 A with different ranges Selector Switch. (b) Voltmeter 0/300/600 V with different ranges and Selector Switch. 4. Phase Sequence Tester. 5. Multimeter/ Digital Voltmeter 6. Portable P.F. meter 5A, 240 V, AC. 7. Any other tools required/ asked for by Electrical Inspector.</p>		All Voltage class.
2	CLASS – B: Any individual / Company / firm or any person(s) who is/are unemployed holding Degree or Diploma in Electrical Engineering.	At least One Supervisor (Either Class 'A' or Class 'B') and at least two Wireman having same qualifications as specified above.	<p>Necessary tools: (i) Crimping Tool (ii) Cable Jointing Kit (iii) Drill Machines (iv) Chain/ Max Pulley (v) Safety belts (vi) 11 KV Hand Gloves (vii) any other tools / equipments asked for by Electrical Inspector.</p>		Up to 11 KV Voltage level.

Note (1) Temporary Electrical Contractor's License shall be issued to Electrical Contractors of other States (for equivalent Class of License only) to undertake particular work order and for a period specified in the work order on the payment of fees specified by the State Government, if the work order under reference is not amended.

(2) No License shall be granted to a person who is under employment of a Licensed Electrical Contractor, unless he/she undertakes to leave the service of the employer and on production of the necessary document.

SCHEDULE – II
Eligibility Conditions for Supervisor Competency Certificate

Sr. No.	Supervisor Class	For candidate seeking SCC to work as Supervisor through Examination mode.	For candidates seeking SCC to work as Supervisor Without Examination Mode.
1	2	3	4
1	Class A: (Above 11 KV Voltage level)	(a) Candidates who have diploma in Electrical Engineering; (b) Candidates who have a Supervisor Competency Certificate "Class B" issued by Electrical Inspectorate of other states and have a minimum experience of ten years in operation and maintenance of electrical installations of appropriate voltage level.	(a) Candidates who have degree in Electrical Engineering; (b) Candidates who have a Supervisor Competency Certificate "Class B" issued by Electrical Inspectorate of Sikkim and have a minimum experience of 10 years in operation and maintenance of electrical installations of appropriate voltage level.
2	Class B: (Voltage up to 11KV)	(a) Candidate who have passed relevant course of ITI; (b) Have WEWP issued from Inspectorate of other States having at least five years of experience; (c) Candidates having at least five years of valid practical electrical work experience in the state of Sikkim as an electrician/ wireman/ Line Assistant/ Asst. Lineman/ lineman or in any other position certified by the sub-division/ division office of Energy & Power Deptt., Government of Sikkim.	(a) Candidates who have a WEWP issued by Electrical Inspectorate of Sikkim or other states and having at least 8 years of experience.

SCHEDULE – III

Eligibility Conditions for Wireman/Electrician Workman Permit

Sr. No.	For candidate seeking WEWP through Examination mode.	For candidates seeking WEWP Without Examination Mode.
1	2	3
1	<p>(a) Individuals who have passed class eight from any recognized institutions of the state, and</p> <p>(b) Individuals who have three years experience as trainee or apprentice or helper wireman under employment of licensed electrical contractor or private or public limited companies operating in the state of Sikkim and dealing with electrical goods manufacturing, operation and maintenance of electrical installation or generation, transmission or distribution of electrical energy.</p>	<p>Candidates who have passed ITI or higher technical course in Electrical Engineering recognized by the State/ Central Government.</p> <p style="text-align: center;">OR</p> <p>Candidates having at least five years of valid practical electrical work experience in the state of Sikkim as an electrician/ wireman/ Line Assistant/ Asst. Lineman/ lineman or in any other position certified by the sub-division/ division office of Energy & Power Deptt., GOS.</p>

NOTE: 1. The existing technical staff of the Licensee (E&PD) working in various capacities in the field of operation and maintenance of the Electrical installations are deemed to possess necessary Workman Permit by default. This option is valid till the publication of this Notification for providing one time relaxation for the existing field staff, those who are certified by the Field Engineers. After the publication of this Notification individuals dealing with electrical works must obtain the necessary Workman Permit from Electrical Inspectorate.

N.T. Bhutia
PCE-cum-Secretary